

Yeas—9.

Agnew.	McKinney.
Beall.	Rogers.
Bowser.	Steele.
Colquitt.	Woods.
Lawhon.	

Nays—12.

Atlee.	Greer.
Bailey.	Lewis.
Dean.	McComb.
Dickson.	Shelburne.
Gage.	Sherrill.
Goss.	Simpson.

Absent—excused.

Boren.	Smith.
Darwin.	Stafford.
Harrison.	Tips.
Presler.	

Absent—not excused.

Crowley.	Whitaker.
Dibrell.	

Senator Tips stated that he was peculiarly interested in the bill and asked to be excused from voting.

By Senator Lewis:

Amend by striking out section 26.

Adopted.

By Senator Goss:

Amend section 4 by adding: "Provided, that the classification of lands heretofore classified as agricultural shall not be changed."

Adopted.

By Senator Goss:

Amend section 7 by adding after the word "dollar," in lines 3 and 4, the words, "and fifty cents."

Lost.

Bill ordered engrossed, and

On motion of Senator Goss, the vote by which same was ordered engrossed was reconsidered.

Senator Goss then called up his motion to reconsider the vote by which the amendment by Senator Dean (see above) was adopted, and withdrew same.

The bill was then ordered engrossed.

Senator Simpson called up his motion to reconsider the vote by which the Senate concurrent resolution providing for adjournment sine die March 28, 1895, was adopted, and withdrew same.

IN SENATE.

House concurrent resolution No. 16, relative to printing the Legislative Record and Journal, was read and referred to Committee on Public Printing.

Senator Shelburne moved to adjourn to 10 a. m. tomorrow.

Senator Steele moved to adjourn to 9:30 a. m.

Senate adjourned to 10 a. m. tomorrow.

FORTY-FIRST DAY.

Senate Chamber,
Austin, Texas, Feb. 26, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the fol-

lowing Senators answering to their names:

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McComb.
Boren.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Goss.	Whitaker.
Greer.	Woods.
Harrison.	

Absent, excused.

Smith.

Absent, not excused.

Beall.

Presler.

Crowley.

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday.

On motion of Senator Sherrill, same was suspended.

On motion of Senator McComb, Senator Beall was excused for today and tomorrow, on important business.

On motion of Senator Agnew, Senator Harrison was excused for non-attendance yesterday, on account of sickness.

On motion of Senator Dickson, Senator Whitaker was excused for non-attendance on yesterday, on account of sickness.

On motion of Senator Colquitt, Senator Dibrell was excused for non-attendance on yesterday, on account of important business.

On motion of Senator Colquitt, Senator Stafford was excused for non-attendance on yesterday, on account of important business.

On motion of Senator Bailey, Engrossing Clerk Linn was excused for yesterday and today, on account of sickness.

On motion of Senator Rogers, Page Herbert Compton was excused for yesterday, on account of sickness.

Senator Rogers moved that the chairman of the joint committee on judicial districts be authorized to appoint a clerk for said committee.

Carried.

PETITIONS AND MEMORIALS.

By Senator Rogers:

Petitions from citizens of Cherokee county, praying that said county be exempted from the operation of the fish and game law passed by the Twenty-third Legislature.

Read and referred to Judiciary Committee No. 2.

By Senator Rogers:

Petition of 99 citizens of Anderson county, praying for a more stringent fish law for the protection of fish in said county.

Read and referred to Judiciary Committee No. 2.

By Senator Colquitt:

Petition of 59 merchants of Terrell protesting against the passage of the Agnew assignment bill.

Read and referred to Judiciary Committee No. 2.

By Senator Dibrell:

Petition from citizens of Gonzales county, against any change in the Twenty-fifth Judicial District of Texas.

Read and referred to Committee on Judicial Districts.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, February 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 159, being a bill to be entitled "An act to amend article 534, chapter 7, of the Penal Code of the State of Texas, defining the punishment for rape,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,

Austin, Texas, February 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 101, being a bill to be entitled "An act to further define connecting lines of common carriers, their relationship to each other and those dealing with them, or either of them, and to prescribe a rule of evidence as to such relationship, and to further prescribe their duties and liabilities,"

Have had the same under consideration, and I am instructed by a majority of the committee to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

MINORITY REPORT.

Committee Room,

Austin, Texas, Feb. 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

The undersigned minority of your Judiciary No. 2, to whom was referred

Senate bill No. 101, being a bill to be entitled "An act to further define connecting lines of common carriers, their relationship to each other and to those dealing with them, or either of them, and prescribing a rule of evidence as to such relationship, and to further prescribe their duties and liabilities,"

Beg to dissent from the majority of the committee in recommending the passage of the bill for the following reasons:

1. It might result in great hardship, and subject shippers to inconvenience and delay by railway companies refusing to

give through bills of lading where freight has to go over more than one line.

2. It seeks to make one company responsible for the negligence of another, and fails to furnish a recourse or remedy to the responsible party against the party who is really responsible for the injury, loss or damage.

3. That section 1 of the bill seeks to fix the liability of roads out of the State, and, to say the least, this feature of the bill may be regarded as an unwarranted extension of the State's jurisdiction.

For these reasons we recommend that the bill do not pass.

COLQUITT.

DIBRELL.

Committee Room,

Austin, Texas, Feb. 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 174, being a bill to be entitled "An act to amend article 389 of the Code of Criminal Procedure, by the addition thereto of article 389a,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 177, being a bill to be entitled "An act to amend article 391 of the Penal Code, relating to leaving dead animals in public roads, etc.,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend by striking out the word "one" in line 28, and insert in lieu thereof "five."

Amend by adding after the word "residence" in line 29 the following: "Or within 500 yards of any public institution."

AGNEW, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 169, being a bill to be entitled "An act to amend articles 351, 352, 353 and 354 of the Penal Code of the State of Texas, relating to lotteries and raffles,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the following committee substitute be adopted in lieu of said original bill, and that said committee substitute bill do pass, and that only the substitute bill here reported be printed.

AGNEW, Chairman.

Committee substitute for Senate bill No. 169:

A bill to be entitled "An act to amend articles 351, 352, 353 and 354 of the Penal Code of the State of Texas, relating to lotteries and raffles."

Section 1. Be it enacted by the Legislature of the State of Texas: That articles 351, 352, 353 and 354 of the Penal Code of the State of Texas be so amended as hereafter to read as follows:

"Article 351. If any person shall establish a lottery or agency to take orders to dispose of any estate, real or personal, by lottery, he shall be fined not less than one hundred nor more than one thousand dollars.

"Article 352. If any person shall sell of offer for sale or keep for sale, order or take orders for tickets or part of tickets in any lottery, or shall exhibit any signs of drawings of lotteries, or any information by blackboards, signs of otherwise, he shall be fined not less than ten nor more than fifty dollars.

"Article 353. If any person shall establish a raffle for, or dispose of by raffle or take orders for raffle, directly or indirectly, any estate, real or personal, exceeding five hundred dollars in value, he shall be fined not less than one hundred nor more than one thousand dollars.

"Article 354. If any person shall offer for sale or keep for sale, or take orders, directly or indirectly, for any chance, ticket or part of ticket in any raffle of estate, real or personal, exceeding five hundred dollars in value, he shall be fined not less than ten nor more than fifty dollars."

Committee Room,
Austin, Texas, Feb. 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 165, a bill to be entitled "An act to amend article 512, chapter 4, title 15 of the Penal Code of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on State Asylums, to whom was referred

House bill No. 314, a bill to be entitled "An act authorizing the board of managers of the State Orphans' Home at Corsicana, Texas, to sell, lease or dispose of the surplus water flowing from the artesian well on the grounds belonging to the said Orphans' Home,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COLQUITT, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 93, being a bill to be entitled "An act to better define who are eligible for the several State and county offices of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 115, being "An act to amend articles 735 and 736 of the Penal Code of the State of Texas, relating to theft,"

And find the same correctly enrolled, and have this day, at 12:35 p. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 95, being "An act to provide for the sale of all lands heretofore or hereafter surveyed and set apart for the benefit of the public free schools and the several asylums, and the lease of such lands, and of the public lands of the State, and the patenting of any part of said lands for church, cemetery or school house sites, and to prevent the free use, occupancy, unlawful enclosure or unlawful appropriation of such lands, and to prescribe and provide adequate penalties therefor,"

And find the same correctly engrossed.

BAILEY, Chairman.

HOUSE MESSAGE.

House of Representatives,
Austin, Texas, Feb. 25, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bills, to-wit:

House bill No. 511, "An act to amend section 5 of an act entitled 'An act to establish a railroad commission for the State of Texas, whereby discrimination and extortion in railroad charges may be prevented, and reasonable freight and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission and the railroads and afford railroad companies and other parties adequate remedies; to prescribe penalties for the violation of this act, and to provide

means and rules for its enforcement,' approved April 3, 1891."

House bill No. 487, a bill to be entitled "An act to create a more efficient road system for Parker county, Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the duties and powers of such county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts upon the public roads of said county, and providing officers' fees, and to provide for the payment for teams to work on roads and allowance of time of service for same on public roads in said county, and fixing a penalty for violation of this act, and to repeal all laws in conflict with this act as to Parker county."

Passed by two-thirds vote—ayes 86, nays none.

House bill No. 65, "An act to amend article 1563, chapter 5, title 32, of the Revised Civil Statutes of Texas, relating to disqualification of justices of the peace."

Passed by two-thirds vote—ayes 88, nays 5.

Senate bill No. 115, a bill to be entitled "An act to amend articles 735 and 736 of the Penal Code of the State of Texas, relating to the punishment for theft."

Passed by the following vote—ayes 33, nays 42.

Respectfully,

CHESTER HAILE,
Chief Clerk.

BILLS AND RESOLUTIONS.

By Senator Sherrill:

A bill to be entitled "An act to amend article 4190, chapter 8, title 84, of the Revised Civil Statutes of Texas, relating to the condemnation of right of way by railroad companies."

Read first time and referred to Judiciary Committee No. 1.

By Senator Sherrill:

A bill to be entitled "An act to amend section 9 of an act entitled 'An act to organize the Courts of Civil Appeals, to define their jurisdiction and powers, and to prescribe the mode of procedure therein,' passed at the first called session of the Twenty-second Legislature of the State of Texas, approved April 13, 1892, relating to the issuance of the writ of mandamus by said courts or the judges thereof."

Read first time and referred to Judiciary Committee No. 1.

By Senator Bailey:

A bill to be entitled "An act to amend articles 2976, 2977, 2978, 2979, 2980 and 2981, title 54, of the Revised Civil Statutes of the State of Texas, and to add article 2981b thereto."

Read first time and referred to Judiciary Committee No. 1.

By Senator Stafford:

A bill to be entitled "An act to prevent fire insurance companies from writing insurance on property in this State by

agents who live outside of the State, and to prevent fire insurance companies from writing policies on property within this State where said companies have not permission to do business in the State."

Read first time and referred to Committee on Insurance, Statistics and History.

By Senator McComb:

A bill to be entitled "An act to provide for the reimbursement of Sam Cook for funds advanced and paid out by him on behalf of the State."

Read first time and referred to Committee on Claims and Accounts.

IN SENATE.

House bill No. 538, "An act to create a more efficient road system for Hill county, Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of deputy road overseers and defining their duties, and for the work of county convicts upon the public roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work and for an allowance of time of road service for same, and fixing a penalty for a violation of this act, and repeal all laws in conflict with this act."

Read first time and referred to Committee on Roads and Bridges.

House bill No. 74, "An act to provide a method of ascertaining the class of a merchant, so as to determine the amount of his occupation tax, and to provide for the collection of same, and fixing penalties for the violation of the provisions of this act."

Read first time and referred to Committee on Finance.

On motion of Senator Steele, regular business was suspended to take up

House bill No. 251, "An act to make and constitute the treasurer of the State of Texas the custodian of all bonds held by the State of Texas, under the provisions of an act of the Legislature of the State of Texas, approved March 24, 1885, and also an act of the Legislature of the State of Texas, approved February 1, 1889, and to define his duties in relation thereto."

Bill read second time and passed to third reading.

On motion of Senator Steele, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—25.

Agnew.
Atlee.
Bailey.
Boren.
Bowser.

Colquitt.
Darwin.
Dean.
Dibrell.
Dickson.

Gage.	Sherrill.
Goss.	Simpson.
Greer.	Stafford.
Harrison.	Steele.
Lawhon.	Tips.
Lewis.	Whitaker.
Rogers.	Woods.
Shelburne.	

Nays—none.

Presler.	Absent, excused.	Smith.
	Absent, not excused.	
Beall.	McComb.	
Crowley.	McKinney.	

Bill read third time and passed by the following vote:

Yeas—25.

Agnew.	Harrison.
Atlee.	Lawhon.
Bailey.	Lewis.
Boren.	Rogers.
Bowser.	Shelburne.
Colquitt.	Sherrill.
Darwin.	Simpson.
Dean.	Stafford.
Dibrell.	Steele.
Dickson.	Tips.
Gage.	Whitaker.
Goss.	Woods.
Greer.	

Nays—none.

Presler.	Absent, excused.	Smith.
	Absent, not excused.	
Beall.	McComb.	
Crowley.	McKinney.	

Senator Tips moved to suspend regular business and take up

House bill No. 432, being a bill to be entitled "An act to amend sections 1 and 3 of an act entitled 'An act to permit the State Firemen's Association to erect a monument in the capitol grounds in the city of Austin,' approved March 28, 1883."

Lost.

SPECIAL ORDER.

The Chair laid before the Senate, House bill No. 382, being a bill to be entitled "An act to amend article 347 of an act entitled 'An act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed March 17, 1879; and to amend article 346 of the Revised Civil Statutes of the State of Texas, as amended on April 6, 1881, giving the qualified electors of incorporated towns and cities the right to vote for all elective officers, as guaranteed by the Constitution.

Bill read second time.

By Senator Colquitt:

Amend article 346 after the word "for," in line 86, by striking out the words "one year," and insert in lieu thereof the words "two years."

Adopted.

By Senator Colquitt:

Amend article 346 by adding thereto the following: "Provided, that officers of

cities and towns, except aldermen, who were elected at the last election in the cities and towns of this State held in April, 1894, shall not be in any manner affected by this act, but shall hold their offices for the full terms for which they were elected."

Lost by the following vote:

Yeas—11.

Agnew.	Gage.
Atlee.	McKinney.
Boren.	Sherrill.
Colquitt.	Stafford.
Darwin.	Steele.
Dibrell.	

Nays—14.

Bailey.	McComb.
Bowser.	Rogers.
Dean.	Shelburne.
Greer.	Simpson.
Harrison.	Tips.
Lawhon.	Whitaker.
Lewis.	Woods.

Presler.	Absent—excused.	Smith.
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	Absent, not excused.	
Beall.	Dickson.	
Crowley.	Goss.	

By Senator Shelburne:

Amend article 347, line 24, page 3, by adding after the word "days" the words, "after his election."

Adopted.

Bill passed to third reading.

On motion of Senator Bowser, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—24.

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McComb.
Boren.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Whitaker.
Greer.	Woods.
Harrison.	

Nay—1.

Tips.		
Presler.	Absent, excused.	Smith.
	Absent, not excused.	
Beall.	Goss.	
Crowley.		

Bill read third time and passed by the following vote:

Yeas—24.

Agnew.	Gage.
Boren.	Greer.
Bowser.	Harrison.
Colquitt.	Lawhon.
Darwin.	Lewis.
Dean.	McComb.
Dibrell.	McKinney.
Dickson.	Rogers.

Shelburne.
Sherrill.
Simpson.
Stafford.

Steele.
Tips.
Whitaker.
Woods.

Nays—None.

Present, not voting.
Bailey.

Atlee.

Absent—excused.
Smith.

Presler.

Absent, not excused.
Goss.

Beall.

Crowley.

On motion of Senator Steele, regular business was suspended, to take up

House bill No. 432, being a bill to be entitled "An act to amend sections 1 and 3 of an act entitled 'An act to permit the State Firemen's Association to erect a monument in the capitol grounds in the city of Austin, approved March 28, 1883,'"

Bill read second time and passed to third reading.

On motion of Senator Steele, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—24.

Agnew.
Boren.
Bowser.
Colquitt.
Darwin.
Dean.
Dibrell.
Dickson.
Gage.
Greer.
Harrison.
Lawhon.

Lewis.
McComb.
McKinney.
Rogers.
Shelburne.
Sherrill.
Simpson.
Stafford.
Steele.
Tips.
Whitaker.
Woods.

Nays—none.

Present, not voting.
Bailey.

Atlee.

Absent, excused.
Presler.

Smith.

Absent, not excused.
Goss.

Beall.

Crowley.

Bill read third time and passed by the following vote:

Yeas—25.

Agnew.
Atlee.
Bailey.
Boren.
Bowser.
Colquitt.
Darwin.
Dean.
Dibrell.
Gage.
Greer.
Harrison.
Lawhon.

Lewis.
McComb.
McKinney.
Rogers.
Shelburne.
Sherrill.
Simpson.
Stafford.
Steele.
Tips.
Whitaker.
Woods.

Nays—none.

Absent—excused.
Smith.

Presler.

Absent—not excused.
Dickson.

Beall.

Crowley.

Goss.

On motion of Senator Agnew, Senate bill No. 11, being a bill to be entitled "An act to regulate assignments for the benefit of creditors, to declare what acts shall operate as such assignments, and to prescribe rules for administering the same, and to provide penalties for the violation of this act, and to repeal an act entitled 'An act in relation to assignments for the benefit of creditors, to regulate the same and proceedings thereunder,' approved March 24, 1879, and to repeal an act entitled 'An act to amend sections 3, 6 and 10 of an act in relation to assignments for the benefit of creditors, and to regulate the same and proceedings thereunder,' approved March 24, 1879, approved April 7, 1883; and to repeal all laws and parts of laws in conflict herewith,"

Was made special order for Friday next, 10:30, and from day to day.

On motion of Senator Shelburne, regular business was suspended to take up

Senate bill No. 183, being a bill to be entitled "An act to restore and revive the charters of private and domestic corporations chartered under the laws of the State of Texas, which have from failure to pay their annual franchise taxes or for other cause lapsed or been declared forfeited by the Secretary of State."

Bill read second time and ordered engrossed.

On motion of Senator Shelburne, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—24.

Agnew.
Atlee.
Bailey.
Bowser.
Darwin.
Dean.
Dibrell.
Gage.
Goss.
Greer.
Harrison.
Lawhon.

Lewis.
McComb.
McKinney.
Rogers.
Shelburne.
Sherrill.
Simpson.
Stafford.
Steele.
Tips.
Whitaker.
Woods.

Nay—1.

Colquitt.

Absent—excused.
Smith.

Presler.

Absent, not excused.

Beall.

Crowley.

Boren.

Dickson.

Bill read third time.

By Senator Colquitt:

Amend section 1 by striking out all after the word "law" in line 19 down to and including the word "cause," in line 20.

Lost.

The bill was then passed by the following vote:

Yeas—22.

Agnew.
Atlee.
Bailey.
Boren.

Bowser.
Darwin.
Dean.
Dibrell.

Gage.	Shelburne.
Greer.	Sherrill,
Harrison.	Simpson.
Lawhon.	Steele.
Lewis.	Tips.
McComb.	Whitaker.
Rogers.	Woods.

Nays—3.

Colquitt.	Stafford.
McKinney.	

Absent, excused.

Presler.	Smith.
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Absent, not excused.

Beall.	Dickson.
Crowley,	Goss.

On motion of Senator Simpson, regular business was suspended to take up Senate bill No. 68, being a bill to be entitled "An act to amend articles 4668e, 4671, 4684 and 4710, chapters 1, 2 and 3, title 95 of the Revised Civil Statutes of Texas, relating to the levy and payment of taxes."

Bill read second time with committee amendments.

On motion of Senator Simpson, the committee amendments were adopted.

By Senator Harrison:

Amend article 4710, subdivision 22, line 27, by adding after the word "carriages," the words "bicycles or tricycles."

Adopted.

By Senator Colquitt:

Amend article 4710 by striking out line 6 and the following words in line 7: "And the certificate number."

Adopted by the following vote:

Yeas—18.

Atlee.	Lewis.
Bailey.	Shelburne.
Boren.	Sherrill.
Bowser.	Simpson.
Colquitt.	Stafford.
Dibrell.	Steele.
Dickson.	Tips.
Gage.	Whitaker.
Harrison.	Woods.

Nays—6.

Agnew.	Greer.
Darwin.	Lawhon.
Dean.	Rogers.

Absent—excused.

Presler.	Smith.
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Absent—not excused.

Beall.	McComb.
Crowley.	McKinney.
Goss.	

On motion of Senator Tips, the vote by which the committee amendments were adopted was reconsidered.

On motion of Senator Lewis, the committee amendments were considered separately.

First committee amendment read and adopted.

Second committee amendment read and adopted.

Third committee amendment read and lost.

By Senator Dibrell:

Amend by striking out in line 26 of article 4710, page 4, the words "and dogs."

Adopted.

By Senator Steele:

Amend by adding after subdivision 1, article 4710, line 3, the following as subdivision 2: "When and from whom bought;" and change other subdivisions to correspond.

Adopted.

By Senator Lewis:

Amend the caption by striking out "4068e and 4671."

Adopted.

Bill ordered engrossed.

Senator Atlee entered a motion to reconsider the vote by which Senate bill No. 183 (see caption above) was passed.

On motion of Senator Rogers,

Senate bill No. 66, being a bill to be entitled "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-third Legislature, chapter 83, page 109,"

Was made special order for Thursday next, February 28, after call and day to day.

Senator Atlee called up his motion to reconsider the vote by which Senate bill 183 was passed, and withdrew same.

On motion of Senator Gage regular business was suspended to take up

Senate bill No. 60, being a bill to be entitled "An act to make the possession of cattle, horses or mules having thereon burnt brands unlawful, and to empower the sheriff and inspector of hides and animals to sequester the same, and to provide for the foreclosure in case of seizure."

Bill read third time.

By Senator Gage:

Amend section 5 by adding after the word "costs," in line 7, the words "and damages."

Adopted by the following vote:

Yeas—25.

Atlee.	Lewis.
Bailey.	McComb.
Boren.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Greer.	Whitaker.
Harrison.	Woods.
Lawhon.	

Nays—None.

Absent, excused.

Presler.	Smith.
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Absent, not excused.

Agnew.	Crowley.
Beall.	Goss.

Bill read third time and passed by the following vote:

Yeas—25.

Atlee.	Dean.
Bailey.	Dibrell.
Boren.	Dickson.
Bowser.	Gage.
Colquitt.	Greer.
Darwin.	Harrison.

Lawhon.
Lewis.
McComb.
McKinney.
Rogers.
Shelburne.
Sherrill.

Simpson.
Stafford.
Steele.
Tips.
Whitaker.
Woods.

Nays—none.

Absent, excused.

Presler.

Smith.

Absent, not excused.

Agnew.

Crowley.

Beall.

Goss.

On motion of Senator Greer, regular business was suspended, and

Senate bill No. 197, being a bill to be entitled "An act to sanction, ratify and confirm the title of the Texas and New Orleans Railroad company, and to all the corporate rights, franchises and privileges of the Sabine and East Texas Railway company, and to authorize the Texas and New Orleans Railroad company to purchase, own, possess and operate the railroad, and to purchase, own and exercise all the corporate rights, franchises and privileges of the Louisiana Western Extension Railroad company, and to authorize said Texas and New Orleans Railroad company to own and operate said Sabine and East Texas Railway and said Louisiana Western Extension Railroad as parts of its lines," was taken up.

Bill read second time and ordered engrossed.

On motion of Senator Lewis, regular business was suspended, and

Senate bill No. 120, entitled "An act to amend article 1011c of the Revised Civil Statutes of Texas, as amended by an act entitled 'An act to amend articles 1002, 1005, 1011, 1012, 1014, 1017, 1019, 1023, 1024, 1025, 1033, 1039, 1043, 1044, 1049, 1050, 1056, 1057, 1058, 1060, of the Revised Civil Statutes of Texas, and add articles 1011a, 1011b, 1011c, 1011d, 1011e, and to repeal articles number 1006, 1007, 1008, 1009, 1034, 1035, 1036, 1037, 1038, 1045, 1046, 1048, of the same title of the Revised Civil Statutes of Texas, and to provide for the transfer of cases pending in the Supreme Court to the Court of Civil Appeals,' passed by the special session of the Twenty-second Legislature, approved April 13, 1892, relating to writs of error from the Supreme Court to the Courts of Civil Appeals," was taken up.

Bill read second time and ordered engrossed.

On motion of Senator Bowser, regular business was suspended to take up

House bill No. 47, "An act to protect persons, associations and unions of working men, incorporated or unincorporated, in their labels, trademarks and forms of advertising and names, and to prescribe penalties for violation of same, and to repeal all laws or parts of laws in conflict with this act."

Bill read second time.

On motion of Senator Colquitt, the bill was considered by sections.

Section 1 read.

Section 2 read.

Section 3 read.

Section 4 read.

Section 5 read.

Section 6 read.

(This concluded consideration by sections.)

By Senator Simpson:

Amend by striking out the words "form of advertisement" wherever it occurs in the bill.

Lost by the following vote:

Yeas—12.

Mr. President.

Lewis.

Atlee.

McComb.

Colquitt.

McKinney.

Dean.

Shelburne.

Dibrell.

Simpson.

Greer.

Steele.

Lawhon.

Nays—12.

Bailey.

Rogers.

Bowser.

Sherrill.

Darwin.

Stafford.

Dickson.

Tips.

Gage.

Whitaker.

Harrison.

Woods.

Absent, excused.

Presler.

Smith.

Absent, not excused.

Agnew.

Crowley.

Beall.

Goss.

Boren.

By Senator Lewis:

Amend caption by adding thereto "including the federal law relating to trade marks and copyright."

Lost.

By Senator Colquitt:

Amend by striking out the enacting clause.

Pending action,

Senator Goss moved to suspend consideration and take up

Senate bill No. 95, being a bill to be entitled "An act to provide for all lands heretofore or hereafter surveyed and set apart for the benefit of the public free schools, the University and the several asylums, and the lease of such lands, and of the public lands of the State, and the patenting of any part of said lands for church, cemetery or school house sites, and to prevent the free use, occupancy, unlawful enclosure, or unlawful appropriation of such lands, and to prescribe and provide adequate penalties therefor."

Carried.

Bill read third time and passed by the following vote:

Yeas—20.

Atlee.

Lawhon.

Bailey.

Lewis.

Bowser.

McComb.

Colquitt.

McKinney.

Dean.

Rogers.

Dibrell.

Shelburne.

Dickson.

Sherrill.

Gage.

Steele.

Goss.

Whitaker.

Harrison.

Woods.

Nays—1.

Simpson.

Present, not voting

Darwin.

Absent, excused.

Presler.

Smith.

Absent, not excused.

Agnew.

Greer.

Beall.

Stafford.

Boren.

Tips.

Crowley.

Senator Goss moved to reconsider the vote by which the bill (Senate bill No. 95) passed, and to lay that motion on the table.

Tabled by the following vote:

Yeas—19.

Atlee.

Harrison.

Bailey.

Lawhon.

Bowser.

Lewis.

Colquitt

McComb.

Darwin.

McKinney.

Dean.

Shelburne.

Dibrell.

Sherrill.

Gage.

Whitaker.

Goss.

Woods.

Greer.

Nays—4.

Dickson.

Simpson.

Rogers.

Steele.

Present, not voting.

Tips,

Absent, excused.

Presler.

Smith.

Absent—not excused.

Agnew.

Crowley,

Beall.

Stafford.

Boren.

The Chair gave notice of the signing and did sign, after the caption of same had been read.

Senate bill No. 115, being "An act to amend articles 735 and 736 of the Penal Code of the State of Texas, relating to the punishment for theft."

On motion of Senator Gage,

Senate bill No. 168, being a bill to be entitled "An act to prohibit nepotism and to prescribe a penalty for a violation hereof,"

Was made special for Friday next, March 1, after call.

On motion of Senator Lewis, House bill No. 323 was made special order for Friday next, after call.

On motion of Senator Simpson, the Senate took a recess to 2:30 p. m.

AFTER RECESS.

Lieutenant Governor Jester called the Senate to order promptly at 2:30 p. m.

Senator Tips moved to adjourn to 10 a. m. tomorrow.

Senator Steele moved to adjourn to 9:30 a. m. tomorrow.

The vote being taken on the longest time first, the Senate refused to adjourn to 10 a. m.

Senate then adjourned to 9:30 a. m. tomorrow.

FORTY-SECOND DAY.

Senate Chamber.

Austin, Texas, February 27, 1895.

Senate met pursuant to adjournment. Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.

Lawhon.

Bailey.

McComb.

Boren.

McKinney.

Bowser.

Rogers.

Colquitt.

Shelburne.

Darwin.

Sherrill.

Dean.

Simpson.

Dibrell.

Stafford.

Dickson.

Steele.

Gage.

Tips.

Goss.

Whitaker.

Greer.

Woods.

Harrison.

Absent, excused.

Beall.

Smith.

Presler.

Absent—not excused.

Agnew.

Lewis.

Crowley.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Harrison, same was suspended.

On motion of Senator Sherrill, Senator Agnew was excused for today on account of sickness.

PETITIONS AND MEMORIALS.

By Senator Stafford:

Petition from citizens of Tyler, Texas, protesting against the passage of the pending assignment bills.

Read and referred to Judiciary Committee No. 2.

By Senator Atlee:

Memorial from commissioners court of Nueces county, protesting against the passage of the House bill seeking to change the boundary line between Duval and McMullen counties.

Read and referred to Committee on Counties and County Boundaries.

By Senator Atlee:

Memorial from citizens of San Patricio county, protesting against the passage of "An act to legalize the claims of certain persons who have unlawfully entered upon and taken possession of certain public lands on the northern end of Mustang Island, at Aransas Pass."

Also memorial from citizens of Corpus Christi to same effect.

Read and referred to Committee on Public Lands.

COMMITTEE REPORTS.

Committee Room.

Austin, Texas, February 26, 1895.

Hon George T. Jester, President of the Senate:

Your Committee on Finance, to whom was referred

House bill No. 74, being "An act to provide a method of ascertaining the class of